

# Exhibit 12

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PRODUCTS LIABILITY LITIGATION

This document pertains to:

*City of New York v. Amerada Hess Corp., et al.*,  
Case No. 04-CV-3417

Master File No. 1:00-1898  
MDL No. 1358 (SAS)  
M21-88

**AFFIDAVIT OF CRAIG D. BYERLEE**

I, CRAIG D. BYERLEE, depose and state as follows:

1. I am the Branding & Contracts Manager at Gulf Oil Limited Partnership ("GOLP"). I submit this affidavit in support of GOLP's Motion for Summary Judgment.
2. GOLP supplied gasoline to the service station at 241-15 Hillside Avenue, Bellerose, NY, starting on or about March 25, 2004. GOLP did not have a supply relationship with the station at 241-15 Linden Boulevard, Bellerose, NY, prior to March 25, 2004.

I DECLARE UNDER PENALTY OF PERJURY THIS 20<sup>TH</sup> DAY OF APRIL, 2009,  
THAT THE FOREGOING IS TRUE AND CORRECT.

  
\_\_\_\_\_  
Craig D. Byerlee